

AO 91 (Rev. 11/11) Criminal Complaint

*Felony*

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**UNITED STATES DISTRICT COURT**

for the  
Southern District of Texas

United States of America )

V. )

Osiel Jr. CARDENAS )

Defendant(s) )

Case No.

B-15-051-MJS

 United States District Court  
 Southern District of Texas  
 FILED

JAN - 2 2015

**CRIMINAL COMPLAINT**

David J. Bradley, Clerk of Court

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

 On or about the date(s) of December 31, 2014 in the county of Cameron in the Southern District of Texas, the defendant(s)  
 violated:
*Code Section*

Title 22, United States Code, Section 2778

*Offense Description*

Knowingly and willfully export and cause to be exported into United Mexican States from the United States of America a defense article, that is, to-wit, 290 rounds of .9mm ammunition, 161 rounds of .223mm ammunition, 29 rounds of 7.62mm ammunition, and (2) .223mm rifle magazines, which are designated as defense articles on the United States Munitions List, without having first registered or obtained from the Department of State an export license, or written authorization for such export.

This criminal complaint is based on these facts:

On December 31, 2014, United States Customs and Border Protection Officers (CBPO) were conducting South bound inspection operations at the Brownsville and Matamoros (B&M) International Port of Entry (POE), in Brownsville, Texas. A black 2015 Cadillac Escalade approached the inspection area as it attempted to exit the United States. The male driver, later identified as Osiel Jr. CARDENAS, a US citizen gave a negative declaration for monies, weapons, and ammunitions. The vehicle was referred to secondary inspection.

CARDENAS was asked to exit the vehicle. Next, an immediate pat down of CARDENAS was performed for officer safety. Again, CARDENAS gave a negative declaration for monies, weapons, and ammunitions. This search revealed approximately 14.20 grams of marijuana hidden inside his underwear.



Continued on the attached sheet.

*[Signature]*  
Complainant's Signature

Lorenzo Ponce Special Agent

Printed name and title

 Submitted by reliable electronic means, sworn to and signature attested  
 as per Fed. Rules Cr. Proc. 4.1

January 2, 2015

Date

Brownsville, Texas

City and State

*[Signature]*  
Judge's signature

Ignacio Torcya U.S. Magistrate Judge

Printed name and title

B-15-51-MJ

United States District Court  
Southern District of Texas  
FILED

JAN - 2 2015

Attachment A

David J. Bradley, Clerk of Court

Continued

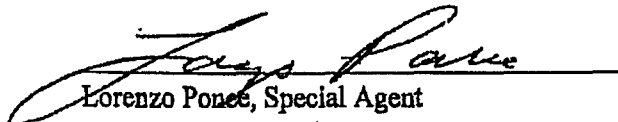
A Non-Intrusive Inspection (NII) of the Escalade revealed several anomalies in the dashboard area. While performing a closer inspection of this area, CBPO's discovered ammunition of different calibers hidden in the glove box, the center console, and in a factory compartment behind the stereo buttons.

CBPO's inspection of the Escalade revealed a total of 290 rounds of 9mm ammunition, 161 rounds of .223mm ammunition, 29 rounds of 7.62mm rounds of ammunition, two (2) .223 rifle magazines, and other tactical weapons gear.

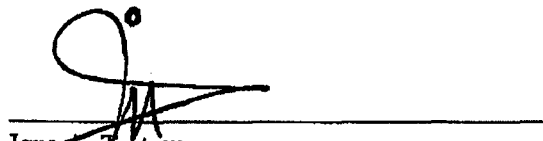
CARDENAS was read his Miranda rights by Homeland Security Investigations Special Agents in the Spanish language and he voluntarily agreed to give a statement and answer questions without the presence of an attorney.

CARDENAS admitted that the ammunition seized from his vehicle belonged to him and that he had concealed it there in order to avoid inspection because he knew that it was illegal to export ammunition and rifle magazines from the United States into the country of Mexico.

CARDENAS further stated he does not have or had ever applied for a Department of State license to export firearms or ammunition.

  
Lorenzo Ponce, Special Agent  
Homeland Security Investigations

Submitted by reliable electronic means, sworn to and signature attested  
as per Fed. Rules Cr. Proc. 4.1

  
Ignacio Torteya  
United States Magistrate Judge

Date: January 2, 2015